

State of Missouri RtI Guidelines

Appendix A

September 2007

The use of a scientific, research-based intervention process to determine non-responsiveness to instruction needs to be supported by additional evaluation measures when determining eligibility for special education services. An evaluation that follows state and federal regulations must be conducted prior to making an eligibility determination. The Eligibility Determination team must ensure that it has sufficient information in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor disabilities to ensure that an appropriate decision is made as to whether the student has a Specific Learning Disability that meets state and federal regulations.

The use of standardized assessment instruments may or may not be needed as part of the evaluation. For example, an assessment of the student's cognitive ability may be needed to rule out mental retardation or generally low cognitive ability as a reason for the student's learning difficulties. Generally low cognitive ability is defined as between one and two standard deviations below the mean. Another example would be that the team may need an academic assessment that focuses on the student's specific skill deficits, such as a test that evaluates phonics skills or phonemic awareness, instead of global academic achievement. While standardized tests are not a mandatory part of the evaluation process, the team must consider carefully what information should be collected in order to make an eligibility determination and to provide input for writing the Individualized Education Program (IEP) if the student qualifies for services.

1) Districts must have a written policy regarding the process that will be used to determine a child eligible under the category of Specific Learning Disability (SLD). For example the district could:

- use a scientific, research-based intervention process for grades kindergarten through two and a discrepancy (pattern of strengths and weaknesses) model for grades three through twelve
- use a discrepancy (pattern of strengths and weaknesses) model until all the components for use of a scientific research-based process are implemented in the district
- use different models at different schools
- use only a scientific research-based process in all cases
- use only a discrepancy (pattern of strengths and weaknesses) model in all cases

2) For the determination of eligibility under the category of Specific Learning Disability (SLD) the State of Missouri requires that public agencies using a scientific, research-based intervention process to determine whether a child has a specific learning disability

and is eligible for special education services must develop and maintain specific written policy related to:

- **Intervention selection criteria-** Interventions chosen must be research or evidence-based. Or in other words, they must show scientific evidence of the effectiveness of the intervention with the specific student(s) for which it is used. (The DESE website provides examples of evidence- based practices). Evidence must be present that the intervention was effective for the particular problem being addressed and for the type of student for which the intervention is being used. Interventions must be chosen based on the specific learning problem of the individual student and they must be instructional and not accommodations and/or modifications of classroom work. For example, for a reading phonemic awareness problem the intervention must instruct the student in phonemic awareness skills. Reducing the level of reading is a modification and is not instructional.
- **Number of interventions required-** The minimum acceptable number is two.
- **Number of intervention sessions required prior to referral for special education-** A minimum of 24 intervention sessions over two interventions must be documented. Sessions should be frequent (daily would be best) and must be pre-specified, structured and planned.
- **Documentation of intervention integrity-** Documentation must be maintained to show the interventions were carried out correctly and as planned by qualified personnel. Evidence can include permanent products, such as checklists, or written observations by an independent party.
- **Frequency and duration of progress monitoring-** Data must be collected and documented at least once a week. The duration chosen must allow for no fewer than six data collection points during the intervention phase for each intervention conducted. The information gathered must provide sufficient data to ensure that a reliable and valid decision can be made for each student.
- **Criteria for determining a student's responsiveness to intervention-** The procedures must state how it will be determined if the student is responding to the intervention and must include both a) the rate of student improvement during instruction (rate of progress) and b) adequate final performance at the end of instruction (academic skill level). In other words, it must include the criteria for how quickly the student is increasing targeted skills through intervention and what grade level increase would be acceptable for determining whether or not the intervention is successful. In order to monitor student growth and level, targets must be established for student progress. Districts may establish cut scores for weekly rates of growth and final benchmark levels, utilizing data collected in their districts over time or scores associated with established systems of progress monitoring. Resources are listed at the end of this document related to established benchmark systems. Decision-making rules must be established in advance to decide whether the intervention should be continued or if the student is not responding adequately to the intervention and the intervention should be changed or intensified.

- **Decision rules for a referral for a special education evaluation-** The agency policy must identify the specific criteria that will be used to determine when the district suspects the student has a disability. The criteria should define the district's decision rules to determine the student's lack of sufficient response to two intervention cycles of increasing intensity. The criteria must be based upon the student's academic skill level and the rate of progress achieved by the student toward the goals set during the intervention phase and must include all the information relevant to making an appropriate decision and to rule out other factors that may impact the students ability to learn and achieve at a rate commensurate with his/her grade level peers.
- **Notification of parents-** If the school/ district is using RtI as a whole school intervention process (i.e., "the Broad View"), a notification must be given when the decision is made to move the student from general classroom interventions to more targeted group or individual interventions (usually designated as "Tier II"). The notification must include the agency's policies regarding:
 1. The amount and nature of student performance data that will be collected and the general education services that will be provided;
 2. The strategies that will be used to increase the student's rate of learning;
 3. The parents' right to request an evaluation at any time during the RtI process; and
 4. The procedures parents must follow to request an evaluation.

If the school/district uses RtI for SLD identification purposes only (i.e., "the Narrow View") the notification would be in the form of a prior written notice given at the beginning of the evaluation process.

It is suggested by the National Research Center on Learning Disabilities (NRCLD) funded by the United States Department of Education, Office of Special Education Programs (OSEP) that the school/district offer parents specific information, such as:

1. Name of the scientifically based instructional intervention used
2. Length of time that will be allowed for the intervention to have a positive effect before moving to the next intervention tier
3. Number of minutes per day the intervention will be implemented
4. Who will deliver the intervention
5. Instruction location
6. Assessments of progress
7. Cut scores for determining whether a student is experiencing success with use of the intervention

Resources:

National Research Center on Learning Disabilities (NRCLD)- www.nrclld.org

Curriculum Based Measurement/ benchmark information-
www.studentprogress.org/library/articles.asp

Dynamic Indicators of Basic Early Literacy Skills/ benchmark information-

dibels.uoregon.edu

Research Institute on Progress Monitoring

www.progressmonitoring.org

Site that lists steps in the process of goal setting and progress monitoring

www.nls.net/mp/sfricke/progress_monitoring.htm

Division of Special Education information on RtI

<http://dese.mo.gov/divspeced/RtIpg.html>